

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> ( Not for submission under 37 CFR 1.99)	Application Number		10661640
	Filing Date		2003-09-15
	First Named Inventor	Burke T. Barrett	
	Art Unit	3762	
	Examiner Name	Scott M. Getzow	
	Attorney Docket Number	1000.025	

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	1	3796221		1974-03-12	Hagfors		
	2	4702254		1987-10-27	Zabara		
	3	4867164		1989-09-19	Zabara		
	4	5025807		1991-06-25	Zabara		
	5	5188104		1993-02-23	Wernicke et al.		
	6	5199430		1993-04-06	Fang et al.		
	7	5263480		1993-11-23	Wernicke et al.		
	8	5299569		1994-04-05	Wernicke et al.		

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9	5311876	1994-05-17	Olsen et al.	
10	5423872	1995-06-13	Cigaina	
11	5540730	1996-07-30	Terry, Jr. et al.	
12	5571150	1996-11-05	Wernicke et al.	
13	5611350	1997-03-18	John	
14	5716377	1998-02-10	Rise et al.	
15	5800474	1998-09-01	Benabid et al.	
16	5833709	1998-11-10	Rise et al.	
17	5836994	1997-11-17	Bourgeois	
18	5861014	1999-01-19	Familoni	
19	5978702	1999-11-02	Ward et al.	

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20	5995868		1999-11-30	Osorio et al.	
21	5995872		1999-11-30	Bourgeois	
22	6018682		2000-01-25	Rise	
23	6026326		2000-02-15	Bardy	
24	6044846		2000-04-04	Edwards	
25	6083249		2000-07-04	Familoni	
26	6091992		2000-07-18	Bourgeois et al.	
27	6102922		2000-08-15	Jakobsson et al.	
28	6104955		2000-08-15	Bourgeois	
29	6115635		2000-09-05	Bourgeois	
30	6205359		2001-03-20	Boveja	

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31	6216039		2001-04-10	Bourgeois	
32	6238423		2001-05-29	Bardy	
33	6266564		2001-07-24	Hill et al.	
34	6304775		2001-10-16	Iasemidis et al.	
35	6321124		2001-11-20	Cigaina	
36	6327503		2001-12-04	Familoni	
37	6337997		2002-01-08	Rise	
38	6341236		2002-01-22	Osorio et al.	
39	6356788		2002-03-12	Boveja	
40	6374140		2002-04-16	Rise	
41	6381495		2002-04-30	Jenkins	

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	1	20060009815		2006-01-12	Boveja	
	2	20050131486		2005-06-16	Boveja, et al.	
	3	20030236558		2005-12-23	Whitehurst, et al.	
	4	20040172094		2004-09-02	Cohen, et al.	
	5	20050131485		2005-06-16	Knudson, et al.	
	6	20050038484		2005-02-17	Knudson, et al.	
	7	20040167583		2004-08-26	Knudson, et al.	
	8	20040172085		2004-09-02	Knudson, et al.	
	9	20040176812		2004-09-09	Knudson, et al.	

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	1	2005007120	WO	A2	2005-01-27	Lesser		<input type="checkbox"/>
	2	2004036377	WO	A2	2004-04-29	Osorio et al.		<input type="checkbox"/>

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	1	BACHMAN, D.S., et al., "Effects of Vagal Volleys and Serotonin on Units of Cingulate Cortex in Monkeys," Brain Research, 130, (1977), pgs. 253-269.	<input type="checkbox"/>
	2	ELGER, G., et al., "Vagus Nerve Stimulation is Associated with Mood Improvements in Epilepsy Patients," Epilepsy Research, 42, (2000), pgs. 203-210.	<input type="checkbox"/>
	3	FISHER, R.S., et al., "Reassessment: Vagus Nerve Stimulation for Epilepsy," Neurology, Vol. 53, (September 1999), pgs. 666-669.	<input type="checkbox"/>
	4	HALLOWITZ, R.A., et al., "Effects of Vagal Volleys on Units of Intralaminar and Juxtalamina Thalamic Nuclei in Monkeys," Brain Research, 130, (1977), pgs. 271-286.	<input type="checkbox"/>
	5	HENRY, T.R., "Therapeutic Mechanisms of Vagus Nerve Stimulation," Neurology, 59, (Suppl 4), (September 2002), pgs. S3-S14.	<input type="checkbox"/>
	6	KRAHL, S.E., et al., "Destruction of Peripheral C-Fibers Does Not Alter Subsequent Vagus Nerve Stimulation-Induced Seizure Suppression in Rats," Epilepsia, 42(5), (2001), pgs. 586-589.	<input type="checkbox"/>

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7	LABAR, D., et al., "Vagus Nerve Stimulation for Medication-Resistant Generalized Epilepsy," Neurology, 52, (April 1999), pgs. 1510-1512.	<input type="checkbox"/>
8	LOCKARD, J.S., et al., "Feasibility and Safety of Vagal Stimulation in Monkey Model," Epilepsia, 31, (Suppl.2), (1990), pgs. S20-S26.	<input type="checkbox"/>
9	ROSENBAUM, Jerrold F., et al., including "Editorial - Vagus Nerve Stimulation for Treatment-Resistant Depression," pgs. 273-275; "Vagus Nerve Stimulation (VNS) for Treatment-Resistant Depressions: A Multicenter Study," pgs. 276-286; "Vagus Nerve Stimulation: A New Tool For Brain Research And Therapy," pgs. 287-295, Society of Biological Psychiatry, Vol. 47, No. 4, (February 15, 2000).	<input type="checkbox"/>
10	SALINSKY, M.C., et al., "Vagus Nerve Stimulation for the Treatment of Medically Intractable Seizures," Archives Of Neurology, Vol. 53, (November 1996), pgs. 1176-1179.	<input type="checkbox"/>
11	SCHACHTER, S.C., et al. "Vagus Nerve Stimulation," Martin Dunitz Ltd., Publisher, London, (2001) pp. 1-101.	<input type="checkbox"/>
12	TERRY, R.S., et al., "The Implantable Neurocybernetic Prosthesis System," Pacing and Clinical Electrophysiology, Vol. 14, No. 1, (January 1991), pgs. 86-93.	<input type="checkbox"/>
13	VONCK, K., et al., "The Mechanism of Action of Vagus Nerve Stimulation for Refractory Epilepsy," Journal of Neurophysiology, Vol. 18, No. 5, (September 2001), pgs. 394-401.	<input type="checkbox"/>
14	WOODBURY, J.W., et al., "Vagal Stimulation Reduces the Severity of Maximal Electroshock Seizures in Intact Rats: Use of Cuff Electrode for Stimulating and Recording," PACE, Vol. 14, (January 1991), pgs. 94-107.	<input type="checkbox"/>
15	ZABARA, J., et al., "Inhibition of Experimental Seizures in Canines by Repetitive Vagal Stimulation," Epilepsia, 33(6), (1992), pgs. 1005-1012.	<input type="checkbox"/>

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Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

- ☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

**OR**

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- ☐ See attached certification statement.
- ☐ Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.
- ☒ None

**SIGNATURE**

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Jonna T. Flores/	Date (YYYY-MM-DD)	2006-09-26
Name/Print	Jonna T. Flores	Registration Number	56803

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